

SENATE BILL REPORT

HB 1561

As of February 22, 2016

Title: An act relating to consideration of information technology security matters.

Brief Description: Concerning the consideration of information technology security matters.

Sponsors: Representatives Hudgins, Scott, Stanford, Magendanz, Ormsby, Smith, S. Hunt and Wylie.

Brief History: Passed House: 3/09/15, 98-0; 6/11/15, 89-0; 2/16/16, 97-0.

Committee Activity: Government Operations & Security: 3/16/15, 3/19/15 [DP, w/oRec]; 2/22/16.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

Majority Report: Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Liias, Ranking Minority Member; Habib and McCoy.

Minority Report: That it be referred without recommendation.

Signed by Senator Dandel.

Staff: Alex Kearns (786-7416)

Background: The Open Public Meetings Act (OPMA) requires that all meetings of the governing body of a public agency be open to the public and all persons must be allowed to attend. For the purposes of OPMA, a public agency includes, but is not limited to, any state board, commission, department, education institution, agency, local government, and special purposes district. A governing body is defined as the multimember board, commission, committee, council, or other policy or rulemaking body of a public agency or any committee acting on behalf of the public agency.

OPMA permits a governing body to discuss certain matters in private in executive session. Matters which may be discussed in executive session include matters affecting national security and discussions with legal counsel regarding litigation or potential litigation to which the body is likely to become a party, when knowledge of the discussion is likely to result in adverse legal or financial consequences.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: A governing body may consider the following information in executive session:

- infrastructure and security of computer and telecommunications networks;
- security and service recovery plans;
- security risk assessments and security test results to the extent vulnerabilities are identified; and
- other information that, if made public, may increase the risk to the confidentiality, integrity, or availability of agency security or to information technology infrastructure or assets.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: Testimony From 2015 Regular Session. PRO: During a meeting of the Technology Services Board, it came to light that materials exempt from disclosure under the Public Records Act can be discussed in open public meetings. This bill tries to align what governing bodies talk about in public with public disclosure laws to keep our information networks secure.

Persons Testifying: Persons Testifying From 2015 Regular Session. PRO: Representative Hudgins, Prime Sponsor.

Persons Signed in to Testify But Not Testifying: No one.

Staff Summary of Public Testimony: PRO: This is a simple, straightforward bill that syncs up our current Public Disclosure Act with our Open Public Meetings Act. Currently information that shouldn't be disclosed because it is sensitive to security does have to be talked about in the open at open public meetings, creating vulnerability. This bill allows flexibility in those circumstances.

Persons Testifying: PRO: Representative Hudgins, Prime Sponsor; Michael Cockrill, Washington Technology Solutions; Agnes Kirk, State Chief Information Security Officer.

Persons Signed In To Testify But Not Testifying: No one.